

Minutes of the Joint House and Senate Rules Committee
Monday, January 12, 2004
Room 403, State Capitol Building

Members Present: Sen. Lyle Hillyard
 Sen. Curtis Bramble
 Sen. Chris Buttars
 Sen. Gene Davis
 Sen. Parley Hellewell
 Sen. Scott Jenkins
 Sen. Ed Mayne
 Sen. Michael Waddoups

Members Absent: Sen. David Gladwell

Staff Present: William Asplund, Assistant Director
 Stewart Smith, Policy Analyst
 John Cannon, Managing Policy Analyst
 John Fellows, Associate General Counsel
 Barbara Bryner, House Secretary
 Sharon Johnson, Senate Secretary

The meeting was called to order at 9:20 a.m. by Sen.Lyle Hillyard

1. Rules Revisions

Mr. John Fellows, Associate General Counsel, presented two resolutions regarding the Joint Rules for the House and Senate.

Resolution Amending Joint Rules Regarding Long Title

The committee discussed the resolution which amends the joint rules regarding the form of a bill or resolution's long title.

Motion: Rep. Dillree moved to adopt the resolution. The motion passed unanimously with Sens. Davis, Jenkins and Mayne absent at time of voting.

Joint Rules Resolution -Resolutions Amendments

The committee discussed the resolution which amends rules governing resolutions and their effective date.

Motion: Rep. Bennion moved to adopt the resolution. The motion passed unanimously with Sens. Davis, Jenkins and Mayne absent at time of voting.

The committee discussed revising rules so they reflect the actual procedures that are used.

Motion: Rep. Ure moved to consider revising the rules to match actual procedures. The motion passed unanimously with Sens. Davis, Jenkins and Mayne absent at time of voting.

2. H.J.R. 5, Joint Rules Resolution-Appropriation Subcommittee Meetings, Rep. Karen Morgan

Rep. Morgan addressed the committee regarding her resolution that requires subcommittees meet monthly during the interim. The committee discussed the resolution and Mr. Fellows answered questions from the committee.

3. H.J.R. 4, Joint Rules Resolution - Appropriation Process Revisions, Rep. Wayne Harper

Rep. Harper was not available to present the resolution. It will be sent to the House Rules Committee and considered during the 2004 General Session.

4. Rules Governing Fiscal Notes

Mr. John Massey, Legislative Fiscal Analyst, presented three recommendations to the committee for revising rules regarding fiscal notes.

The first recommendation is that fiscal notes may be printed 24 hours after it has been sent to the sponsor unless the fiscal note is sent on a Friday. The committee discussed receipt of fiscal notes and notification of receipt of the note.

Motion: Sen. Bramble moved to adopt the revised language to JR-4.22.1(6)(a)(ii) “The fiscal note may be printed 24 hours after it has been sent to the sponsor unless the fiscal note is sent on a Friday, in which case the 24-hour period does not expired until the following Monday.” The motion passed unanimously with Sen. Davis absent at time of voting.

The second recommendation addressed JR-4.23.(1) and addressed preparation of amended fiscal notes before a bill passes third reading in both houses. This can be done with notification to the Fiscal Analyst’s office as amendments are scanned into the computer system.

The third recommendation addresses Senate Rules only and recommends that SR 24.01(2)(b) be consistent with HR (24.01(3)(a)(ii) regarding the printing of a bill without a fiscal note. The Senate Rules Committee will address this issue in a Senate Rules Committee meeting.

5. Revisor’s Statute

Mr. John Fellows presented the Revisor’s Statute to the committee. The committee discussed the bill.

Motion: Sen. Waddoups moved to adopt the Revisor’s Statute and have the Senate Rules Committee sponsor the bill. The motion passed unanimously with Sen. Davis absent at time of voting.

The joint committee separated into individual meetings.

Room 405

1. S.R. 1, Senate Rules Resolution-Use of Postage, Sen. Lyle Hillyard

Sen. Lyle Hillyard presented S.R. 1, Senate Rules Resolution-Use of Postage, to the committee which enacts a postage allowance for members of the Senate.

Motion: Sen. Waddoups moved to adopt the resolution. The motion passed unanimously.

2. Senate Rules Resolution - Technical Amendments

Bill Asplund, Associate General Counsel, addressed the committee regarding Senate Rules Resolution - Technical Amendments, which transfers ownership of a bill from the Secretary of the Senate to the Rules Committee, and other technical changes.

Motion: Sen. Davis moved to adopt the technical amendments. The motion passed unanimously.

3. Discussion of Fiscal Notes

The committee discussed the policy of reporting bills out to standing committee without a fiscal note. Sen. Hillyard directed staff to prepare language that would clarify the procedures for progression of a bill when it does not have a fiscal note.

4. Assignments of Bills to Second Reading Calendar and Committees

The committee discussed the prepared list of bills to be placed on the Second Reading Calendar.

Motion: Sen. Davis moved to report the following list of bills and resolutions to the Second Reading Calendar. The motion passed unanimously.

S.B. 4	Repeal of Cost-savings Suggestions Pilot Program (<i>Sen. B. Evans</i>)
S.B. 6	Refurbished Computers in Schools Program (<i>Sen. H. Stephenson</i>)
S.B. 8	Local Referendum Amendments (<i>Sen. B. Evans</i>)
S.B. 15	Carryover of Authorized Capital Outlay Amendments (<i>Sen. B. Evans</i>)
S.J.R. 1	Resolution Reappointing Legislative Fiscal Analyst (<i>Sen. P. Knudson</i>)
S.J.R. 2	Resolution Approving Compensation of In-Session Employees (<i>Sen. B. Evans</i>)
S.R. 1	Senate Rules Resolution - Use of Postage (<i>Sen. L. Hillyard</i>)

The committee discussed the proposed list of bills to be sent to Standing Committees. Sen. Mayne requested to move SB 96 from Health to Business and Labor.

Motion: Sen. Davis moved to remove S.B. 96, Utah Occupational Safety and Health Act Amendments (*Sen. E. Mayne*) from the Health Standing Committee to the Business and Labor Standing Committee. The motion passed unanimously.

Motion: Sen. Buttars moved to approve the following list as amended for committee

assignments. The motion passed unanimously.

Business and Labor

- S.B. 27 Telephone and Facsimile Solicitation Act (*Sen. D. Thomas*)
- S.B. 28 Home Inspection - Action Against Inspector (*Sen. P. Julander*)
- S.B. 30 Medical Benefits Recovery Act Amendments (*Sen. S. Killpack*)
- S.B. 33 Mobile Home Park Residency Act (*Sen. E. Mayne*)
- S.B. 37 Deferred Deposit Lending Amendments (*Sen. R. Allen*)
- S.B. 75 Consumer Credit Contracts (*Sen. G. Bell*)
- S.B. 83 Uninsured Employers' Fund Amendments (*Sen. E. Mayne*)
- S.B. 88 Uniform Building Standards Act - Manufactured Housing Amendments (*Sen. L. Hillyard*)
- S.B. 89 Contractor Licensing Amendments (*Sen. P. Hellewell*)
- S.B. 92 Repeal of Unsolicited Commercial and Sexually Explicit Email Act (*Sen. P. Arent*)
- S.B. 95 Issuing a Bad Check or Draft (*Sen. P. Hellewell*)
- S.B. 96 Utah Occupational Safety and Health Act Amendments (*Sen. E. Mayne*)

Government Operations and Political Subdivisions

- S.B. 9 Property Rights Amendments (*Sen. C. Walker*)
- S.B. 10 Amendments to Local Referendum Process (*Sen. J. Hickman*)
- S.B. 18 Municipal Annexation Provisions in First Class Counties (*Sen. P. Arent*)
- S.B. 23 Amendments to Municipal Government (*Sen. T. Hatch*)
- S.B. 85 Political Activities of Public Entities Amendments (*Sen. D. Thomas*)
- S.B. 91 Emergency Medical Service Provider Amendments (*Sen. S. Jenkins*)

Health and Human Services

- S.B. 14 Insurance Code Exemption (*Sen. G. Bell*)
- S.B. 29 Access to Rural Health Care Providers (*Sen. L. Blackham*)
- S.B. 32 Use of Asthma Medication by Pupils in School (*Sen. P. Arent*)
- S.B. 34 Occupational Therapists Amendments (*Sen. G. Davis*)
- S.B. 35 Pharmacist Technician Exemption (*Sen. D. Eastman*)
- S.B. 70 Health Care Facility Licensing Exemption (*Sen. J. Hickman*)
- S.B. 79 Repeal of Child Welfare Worker Designations (*Sen. D. Eastman*)
- S.B. 81 Child and Family Services - Plea in Abeyance (*Sen. P. Hellewell*)
- S.B. 86 Mental Health Professional Practice Act Amendments (*Sen. D. C. Buttars*)
- S.B. 90 Medical Neglect - Exclusion (*Sen. D. Thomas*)
- S.J.R. 3 Resolution Urging State to Recognize Federal Law Prohibiting Partial Birth Abortion (*Sen. R. Allen*)

Judiciary, Law Enforcement, and Criminal Justice

- S.B. 12 Transportation of Children for Parent-time (*Sen. P. Arent*)
- S.B. 16 Identity Theft Amendments (*Sen. C. Walker*)
- S.B. 21 Drug Offenders Reform Act (*Sen. D. C. Buttars*)
- S.B. 24 Marriage Defined (*Sen. D. C. Buttars*)
- S.B. 25 Death Penalty Amendments (*Sen. R. Allen*)
- S.B. 36 Prevention of Child Access to Firearms (*Sen. P. Julander*)
- S.B. 68 Prohibition of Public Funding for Abortion (*Sen. C. Bramble*)
- S.B. 69 Partial Birth Abortion Amendments (*Sen. C. Bramble*)
- S.B. 72 Disposition of Fines for Registration Violations (*Sen. J. Hickman*)

- S.B. 73 Escape Amendments (*Sen. T. Hatch*)
- S.B. 80 Capital Punishment Amendments - Excluded Days (*Sen. J. Valentine*)
- S.B. 84 Party to Felony Offense Enhancement (*Sen. M. Waddoups*)

Natural Resources, Agriculture, and Environment

- S.B. 17 Reauthorization of Energy Policy Task Force (*Sen. L. Blackham*)
- S.B. 67 Designation of American Indian Heritage Month and an Indigenous People Day (*Sen. B. Evans*)
- S.B. 76 Revisions to Royalty on Brine Shrimp (*Sen. T. Hatch*)
- S.B. 82 Deposits into Uintah Basin Revitalization Fund (*Sen. B. Evans*)
- S.B. 94 Mine Certification Requirements (*Sen. M. Dmitrich*)
- S.C.R. 1 Concurrent Resolution Approving Solid Waste Permit (*Sen. T. Hatch*)

Revenue and Taxation

- S.B. 13 Resort Communities Tax Amendments (*Sen. L. Hillyard*)
- S.B. 19 Sales and Use Taxes - Exemption for Energy Related Equipment and Machinery (*Sen. L. Blackham*)
- S.B. 31 Sales and Use Tax Amendments (*Sen. E. Mayne*)
- S.B. 78 Exemptions to Residential Property Tax (*Sen. E. Mayne*)

Transportation and Public Utilities and Technology

- S.B. 11 Guidelines for Local Matching Dollars for Transportation Projects (*Sen. C. Walker*)
- S.B. 20 Driving Under the Influence Amendments (*Sen. C. Walker*)
- S.B. 71 Safety Belt Enforcement (*Sen. K. Hale*)
- S.B. 74 Aerospace and Aviation Development Zone Amendments (*Sen. M. Dmitrich*)
- S.B. 77 Expansion of New Motor Vehicle Warranties (*Sen. P. Arent*)
- S.B. 87 Driver License Certificate Amendments (*Sen. C. Walker*)
- S.B. 93 Telecommunications Annual Report Amendments (*Sen. B. Evans*)

Workforce Services and Community and Economic Development

- S.B. 5 Employment Security Modifications (*Sen. S. Jenkins*)
- S.C.R. 3 Resolution Supporting Hill Air Force Base (*Sen. D. Thomas*)

Motion: Sen. Hellewell moved to adjourn. The motion passed unanimously.

Meeting adjourned at 10:40 a.m.
Minutes reported by Sharon Johnson

Sen. Lyle Hillyard
Committee Chair